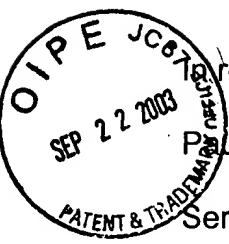


9200/3721

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



To re application of:)
)
Paul F. Connelly, Jr.)
)
Serial No.: 09/819,201)
)
)
Filed: March 28, 2001)
)
)
For: GROUND ROD DRIVER)

Group Art Unit: 3721
Examiner: Weeks, Gloria R.
Attorney Docket: PFC 00422
Date: September 18, 2003

7/dpm
1-5-04
Renewed
Pet re Abandon

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

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RENEWED PETITION TO WITHDRAW
HOLDING OF ABANDONMENT

Sir:

Applicant is in receipt of a Decision on Petition wherein papers filed on May 14, 2003 are being treated as a petition under 37 CFR 1.181 for the above-referenced patent application. This petition was dismissed for failure to have the "petition" signed.

Originally, this application had gone abandoned for failure to include the fee for the Extension of Time when the reply to an Office Action was mailed to the U.S. Patent Office on August 8, 2002. However, check no. 6662 in the amount of \$55.00 to cover the one month extension of time fee was included, then received and cashed by the patent Office. Next, we received a Notice of Abandonment mailed from the Patent Office on November 15, 2002.

Therefore, a telephone call was made to Examiner Gloria Weeks on November 18, 2002, who simply asked us to fax a copy of the Postcard and the cancelled check, which was done immediately (copy enclosed). We followed up with another telephone call to Ms. Weeks, in which she indicated that this would be taken care of and the application would be placed back in pending status.

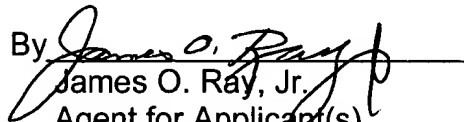
However, on May 14, 2003 another telephone call was made to Ms. Weeks who still indicated that the application was still abandoned. She advised us to again send a copy of the original fax along with the postcard and cancelled check. This was also done immediately and followed up with another telephone call, in which she again indicated that this would be taken care of and the application would be placed back in pending status. Ms. Weeks also advised that check no. 6662 had been applied to the wrong application at the Patent Office, but was being corrected.

Unfortunately, this application still had not been placed back to pending status, therefore, we spoke to Rinaldi I. Rada, Supervisory Patent Examiner on July 22, 2003 who asked us to again fax all of the above to him, which was immediately done.

However, this only resulted in a Decision on Petition which as indicated above was dismissed.

It is, therefore, respectfully requested that the above-referenced patent application be withdrawn from Abandonment and the application be placed in pending status.

Respectfully submitted,

By 
James O. Ray, Jr.
Agent for Applicant(s)
Registration No. 27,666

JAMES RAY & ASSOCIATES
2640 PITCAIRN ROAD
MONROEVILLE, PA 15146

TELEPHONE: 412-380-0725
FACSIMILE: 412-380-0748



UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 23 2003

JUL 26 2003

Paper No. 6

In re Application of
Paul F. Connelly, Jr.
Application No. 09/819,201
Filed: March 28, 2001
Attorney Docket No. PRC 00422

:
: DECISION ON PETITION
:
:

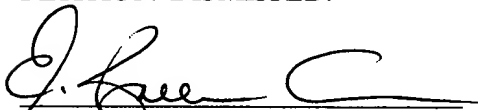
The facsimile papers filed on May 14, 2003 are being treated as a petition under 37 CFR 1.181 to withdraw the examiner's holding that this application stands abandoned for failure to timely file a proper reply to the Office letter dated April 18, 2002. No fee is required for the petition.

The petition is dismissed.

The petition is not signed. Therefore, the petition cannot be treated on its merits. Parenthetically, it is noted that if petitioner had filed the petition prior to the mailing of a Notice of Abandonment, the paper would have been treated as a submission of a duplicate paper, but a signed statement to the effect that the attached correspondence had been previously filed in the Office on a particular date would still have been necessary.

Petitioner may submit a renewed petition, without fee, provided that the renewed petition is filed within two months of the date of this decision. See 37 CFR 1.181(f). No fee is required for the renewed petition. The renewed petition may take the form of a ratification of the petition filed on July 2, 2003.

PETITION DISMISSED.


E. Rollins-Cross, Director, Patent
Examining Groups 3710 and 3720

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James Ray & Associates
2640 Pitcairn Road
Monroeville, PA 15146



JAMES RAY & ASSOCIATES
2640 PITCAIRN ROAD
MONROEVILLE, PA 15146

TELEPHONE: (412)380-0725
FACSIMILE: (412) 380-0748

DATE: July 22, 2003

TO: Rinaldi I. Rada
Supervisory Patent Examiner

FROM: James O. Ray, Jr.

FAX NO.: 703-305-0034

NO. OF PAGES: 30 (including this page)

COMMENTS: RE: U.S. PATENT APPLICATION
SERIAL NO. 09/819,201
"GROUND ROD DRIVER"
OUR REFERENCE: PFC 00422

copy

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Dear Sir:

Per our telephone conversation today, to follow is a copy of the last Amendment submitted to the U.S. Patent Office on August 8, 2002, the Postcard stamped by the U.S. Patent Office indicating that both the Amendment and check to cover the one month extension of time fee were received and cancelled check no. 6662 in the amount of \$55.00.

Also, to follow is a copy of the previous fax that was sent to Examiner, Gloria Weeks.

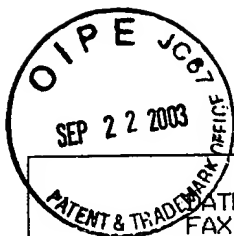
Hopefully this will finally get this case back on track.

Sincerely yours,

James O. Ray, Jr. 1/84
James O. Ray, Jr.

JOR:sf
Enclosures

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TIME : 11/18/2002 16:12

DATE, TIME
FAX NO. /NAME
DURATION
PAGE(S)
RESULT
MODE

11/18 16:11
17037467149
00:01:11
03
OK
STANDARD
ECM

↑
Confirmation of
original fax 11-18-02
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05/14 10:34
17037467149
00:01:27
04
OK
STANDARD
ECM

Confirmation
of - 2nd fax.

Post-It™ brand fax transmittal memo 7671		# of pages > 4
To	Gloria Weeks	
Co.	WSPIC	
Dept.	103 605-4211	
Fax #	703-746-7149	
From	Susette	
Co.		
Phone #	412-386-0723	
Fax #		

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JAMES RAY & ASSOCIATES
2640 PITCAIRN ROAD
MONROEVILLE, PA 15146

TELEPHONE: (412)380-0725
FACSIMILE: (412) 380-0748

DATE: November 18, 2002

TO: GLORIA R. WEEKS

FROM: Susette Flaherty

FAX NO.: 703-746-7149

NO. OF PAGES: 2 (including this page)

COMMENTS: (See Facsimile to Follow)

RE: U.S. PATENT APPLICATION
SERIAL NO. 09/819,201
"GROUND ROD DRIVER"
YOUR REFERENCE: PFC 00422

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As per our telephone conversation, to follow is a copy of the postcard stamped received from the U.S. Patent and Trademark Office indicating that both the Amendment and check no. 6662 in the amount of \$55.00 to cover the one month extension of time fee had been received.

Also, to follow is a copy of such cancelled check stamped from the Patent and Trademark Office.

Please advised if any further information is needed to place the case back in pending status.

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* all postal and long distance costs. Thank you. *



COPY

F: PFC 00422

PFC:sf

The date stamp of the Patent Office on this card will be taken as an indication that an Amendment Transmittal, Amendment and check no. 6662 in the amount of \$55.00 to cover the one month extension of time fee were received.

No.: PFC 00422

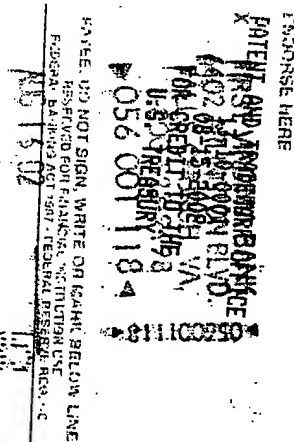
Date: August 8, 2002



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COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231

ON September 18, 2013,
Justitt O'Harey